

Exhibit 34



Ashley Neese [REDACTED]@gmail.com>

FW: Ashley Neese FOIA and Privacy Act requests and appeals

1 message

[REDACTED]@gtlaw.com <[REDACTED]@gtlaw.com>
 To: [REDACTED]@gmail.com

Mon, Mar 25, 2019 at 9:51 AM



David G. Barger
 Shareholder,

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PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS EMAIL



From: Barger, David G. (Shld-NVA-LT)
Sent: Monday, March 25, 2019 9:51 AM
To: 'Krebs, Kevin (USAE0)' <Kevin.Krebs@usdoj.gov>
Subject: RE: Ashley Neese FOIA and Privacy Act requests and appeals

EXHIBIT 34

Kevin, thanks for the email. I understand what they are saying, but there are certain key documents we have specified for months relating to documents provided by and statements made by Paul Beers in early May 2018, (which I know they reviewed at the time and which they forwarded to OPR and EOUSA). Their delay does not make the District look good.

In any event we look forward to a production as soon as possible. As I have mentioned, we have always been willing to have a rolling production. Thank you. David.



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From: Krebs, Kevin (USAEO) [mailto:Kevin.Krebs@usdoj.gov]
Sent: Monday, March 25, 2019 9:44 AM
To: Barger, David G. (Shld-NVA-LT) <@gtlaw.com>
Subject: RE: Ashley Neese FOIA and Privacy Act requests and appeals

David,

Thank you for your patience. As you know, Princina no longer works for DOJ, so I have assigned the case to a new attorney that will be contacting the District to get this ball moving. The response I got from the District is that they still have a conference room of records to review for documents that may be responsive. Once we get a determination on the amount of records, we will be able to give you an accurate estimate of completion.

Kevin

From: [REDACTED]@gtlaw.com <[REDACTED]@gtlaw.com>
 Sent: Saturday, March 23, 2019 1:48 PM
 To: Krebs, Kevin (USAE0) <KKrebs@usa.doj.gov>
 Subject: RE: Ashley Neese FOIA and Privacy Act requests and appeals

Hi Kevin just checking in on your email of March 14, and whether the USAO WDVA has provided the docs , or given a date by which the review will be done. As you may or may not know, I asked them specifically for records in May 2018, and then of course made a formal FOIA and Privacy Act request to them in July.

In addition, when I emailed their FOIA officer Jennifer Bockhorst in early November/ late October 2018 to inquire about the status of my July request, I was advised that I should not communicate with the USAO.

I will forward you this email string, but my point is the office (I copied the USA) has known for months about my request and there has been no action, even though by statute as I understand it, they are supposed to respond within 5 days regarding how long it will take to review the documents.

Of course, even this is aside from the fact that we were willing to accept rolling production and specified the records that were most significant.

Thank you for your time and effort in this. Regards. David.



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From: Krebs, Kevin (USAEO) [mailto:Kevin.Krebs@usdoj.gov]
Sent: Thursday, March 14, 2019 9:09 AM
To: Barger, David G. (Shld-NVA-LT) <[REDACTED]@gtlaw.com>
Subject: RE: Ashley Neese FOIA and Privacy Act requests and appeals

My apologies, yes the USAO-WDVA.

From: [REDACTED]@gtlaw.com [REDACTED]@gtlaw.com>
Sent: Thursday, March 14, 2019 9:02 AM
To: Krebs, Kevin (USAEO) <KKrebs@usa.doj.gov>
Subject: RE: Ashley Neese FOIA and Privacy Act requests and appeals

Kevin, thank you for your email and update. A point of clarification if I may ask. By District do you mean the USAO WDVA? Regards. David.



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From: Krebs, Kevin (USAEO) [mailto:Kevin.Krebs@usdoj.gov]
Sent: Thursday, March 14, 2019 8:53 AM
To: Barger, David G. (Shld-NVA-LT) <[REDACTED]@gtlaw.com>
Subject: RE: Ashley Neese FOIA and Privacy Act requests and appeals

Mr. Barger,

I checked on the status of your FOIA request and the District is still searching through responsive records. The government shutdown has unfortunately added to the delay in this process for you and thousands of other requesters. I have asked the District to give me an estimate of completion by today. That being said, the records will still need to be processed in my office. Ms. Stone who processed the partial release is no longer with EOUSA, so I will be assigning these records to a new attorney. When we receive the records we should be able to give you an estimated time of completion.

In regards to your appeal, you need to contact the Office of Information Policy. I will send you a note when I get word from the District.

Kevin

From: [REDACTED]@gtlaw.com <[REDACTED]@gtlaw.com>
Sent: Tuesday, March 12, 2019 2:02 PM
To: Krebs, Kevin (USAEO) <KKrebs@usa.doj.gov>
Subject: Ashley Neese FOIA and Privacy Act requests and appeals

Kevin, I represent former DOJ/ USAO employee Ashley Neese in connection with her FOIA and Privacy Act requests and appeals. In speaking with Carol Shea, she suggested I could give you a call about our requests (since July 2018) and our appeals and frustrations.

If you would give me a call at your convenience to discuss the matter, I would very much appreciate it. Regards. David.



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